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# **SUBMITTAL REQUIREMENTS REBUILD APPROVAL PERMIT (Non-Conforming Uses)**

City of Renton Development Services Division  
1055 South Grady Way-Renton, WA 98055  
Phone: 425-430-7200 Fax: 425-430-7231

**PURPOSE:** A nonconforming use is “a lawful use of land that does not comply with the current use regulations for its zone, but which complied with applicable regulations at the time the use was established.” Damaged legal nonconforming uses are allowed to be reestablished/rebuilt as a matter of right, where the costs associated with reestablishing the use do not exceed fifty percent (50%) of the most recently assessed value. The purpose of a Conditional Approval Permit for a non-conforming use is to allow a nonconforming use(s) that became *nonconforming as a consequence of Code amendments in June 1993, or subsequent amendments*, to be reestablished or rebuilt even though the cost to reestablish the use would exceed 50% of the most recently assessed or appraised value.

**FREE CONSULTATION MEETING:** Prior to submitting an application, the applicant should informally discuss the proposed development with the Development Services Division. The Development Services Division will provide assistance and detailed information on the City’s requirements and standards. Applicants may also take this opportunity to request the waiver of the City’s typical application submittal requirements which may not be applicable to the specific proposal. For further information on this meeting, see the instruction sheet entitled "Submittal Requirements: Pre-Application."

**COMPLETE APPLICATION REQUIRED:** In order to accept your application, each of the numbered items must be submitted at the **same time**. If you have received a prior written waiver of a submittal item(s) during a pre-application meeting, please provide the waiver form in lieu of any submittal item not provided. **All plans and attachments must be folded to a size not exceeding 8½ by 11 inches.**

**APPLICATION SCREENING:** *Applicants are encouraged to bring in one copy of the application package for informal review by staff, prior to making the requested number of copies, colored drawings, or photo reductions. Please allow approximately 45 minutes for application screening.*

**APPLICATION SUBMITTAL HOURS:** Applications should be submitted to Development Services staff at the 6th floor counter of Renton City Hall, 1055 South Grady Way, between 8:00 A.M. and 4:00 P.M. Monday through Friday. An appointment to submit your application is not necessary. Due to the screening time required, applications delivered by messenger cannot be accepted.

**All Plans and Attachments must be folded 8 ½"by 11"**

## **APPLICATION MATERIALS:**

1. ☐ **Pre-Application Meeting Summary:** If the application was reviewed at a “pre-application

- meeting”, please provide **5 copies** of the written summary provided to you.
2. ☐ **Waiver Form:** If you received a waiver form during or after a “pre-application meeting”, please provide **5 copies** of this form.
3. ☐ **Land Use Permit Master Application Form:** Please provide the **original plus 11 copies** of the **COMPLETED** City of Renton Development Services Division’s Master Application form. Application must have notarized signatures of **ALL** current property owners listed on the Title Report. If the property owner is a corporation, the authorized representative must attach proof of signing authority on behalf of the corporation. The legal description of the property must be attached to the application form.
4. ☐ **Project Narrative:** Please provide **11 copies** of a clear and concise description of the proposed project, including the following:
- Project name, size and location of site
  - Land use permits required for proposed project
  - Zoning designation of the site and adjacent properties
  - Current use of the site and any existing improvements
  - Special site features (i.e. wetlands, water bodies, steep slopes)
  - Statement addressing soil type and drainage conditions
  - Proposed use of the property and scope of the proposed development
  - For plats indicate the proposed number, net density and range of sizes (net lot area) of the new lots
  - Access
  - Proposed off-site improvements (i.e. installation of sidewalks, fire hydrants, sewer main, etc.)
  - Total estimated construction cost and estimated fair market value of the proposed project
  - Estimated quantities and type of materials involved if any fill or excavation is proposed
  - Number, type and size of any trees to be removed
  - Explanation of any land to be dedicated to the City
  - Any proposed job shacks, sales trailers, and/or model homes
  - Any proposed modifications being requested (include written justification)
- For projects located within 100 feet of a stream or wetland, please include:
- Distance in feet from the wetland or stream to the nearest area of work
- For projects located within 200-feet of Black River, Cedar River, Springbrook Creek, May Creek and Lake Washington please include the following additional information:
- Distance from closest area of work to the ordinary high water mark.
  - Description of the nature of the existing shoreline
  - The approximate location of and number of residential units, existing and potential, that will have an obstructed view in the event the proposed project exceeds a height of 35-feet above the average grade level
5. ☐ **Written Statement Justifying Nonconforming Use:** Please provide **5 copies** of a statement demonstrating at least three of the following criteria have been satisfied:
- **Community Need:** There shall be a community need for the proposed use at its present location. In the determination of community need, consideration shall be given to the following factors, among all other relevant information:
    - a. The continuance of the nonconforming use should not result in either the detrimental over-concentration of a particular use within the City or within the area surrounding the site.
    - b. That the existing location is or can be made suitable for the existing use.
  - **Effect on Adjacent Property:** The existing nonconforming use has not resulted in undue adverse effects on adjacent properties from noise, traffic, glare, vibration, etc., (i.e. does not exceed normal levels in these areas emanating from surrounding permitted uses).

- **Historical Significance:** The existing use was associated with a historical event or activity in the community and as a result has historical significance.
- **Economic Significance:** The existing use provides substantial benefit to the community because of either the employment of a large number of people in the community, the generation of considerable retail and/or business/occupation tax revenues to the City, or it provides needed affordable housing.
- **Timeliness with Existing Plans and Programs:** Because of the anticipated market timing for permitted uses in the zone, retention of the existing nonconforming use would not impede or delay the implementation of the City's Comprehensive Plan.

6. ☐ **Fees:** The application must be accompanied by the required application fee (see Fee Schedule). Land use fees are calculated by charging the full amount for the most expensive land use permit needed and half-price for each additional land use permit. Please call (425) 430-7294 to verify the exact amount required. Checks should be made out to the *City of Renton* and can not be accepted for over the total fee amount.

7. ☐ **Neighborhood Detail Map:** Please provide **12 copies** of a map drawn at a scale of 1" = 100' or 1" = 200' (or other scale approved by the Development Services Division) to be used to identify the site location on public notices and to review compatibility with surrounding land uses. The map shall identify the subject site with a much darker perimeter line than surrounding properties and include at least two cross streets in all directions showing the location of the subject site relative to property boundaries of surrounding parcels. The map shall also show: the property's lot lines, lot lines of surrounding properties', boundaries of the City of Renton (if applicable), north arrow (oriented to the top of the plan sheet), graphic scale used for the map, and City of Renton (not King County) street names for all streets shown. Please ensure all information fits on a single map sheet.

Kroll Map Company (206-448-6277) produces maps that may serve this purpose or you may use the King County Assessor's maps as a base for the Neighborhood Detail Map. Additional information (i.e. current city street names) will need to be added by the applicant.

8. ☐ **Site Plan:** Please provide **12 copies** of a fully-dimensioned plan sheet drawn at a scale of 1"=20' (or other scale approved by the Development Services Division). We prefer the site plan be drawn on *one* sheet of paper unless the size of the site requires several plan sheets to be used. If you are using more than a single plan sheet, please indicate connecting points on each sheet.

The Site Plan should show the following:

- Name of proposed project
- Date, scale, and north arrow (oriented to the top of the paper/plan sheet)
- Drawing of the subject property with all property lines dimensioned and names of adjacent streets
- Widths of all adjacent streets and alleys
- Location of all existing public improvements including, but not limited to, curbs, gutters, sidewalks, median islands, street trees, fire hydrants, utility poles, etc., along the full property frontage
- Location and dimensions of existing and proposed:
  1. structures
  2. parking, off-street loading space, curb cuts and aisle ways
  3. fencing and retaining walls
  4. free-standing signs and lighting fixtures
  5. refuse and recycling areas
  6. utility junction boxes and public utility transformers
  7. storage areas and job shacks/sales trailers/model homes
- Setbacks of all proposed buildings from property lines
- Location and dimensions of all easements referenced in the title report with the recording number and type of easement (e.g. access, sewer, etc.) indicated
- Location and dimensions of natural features such as streams, lakes, required buffer areas, open spaces, and wetlands

- Ordinary high water mark and distance to closest area of work for any project located within 200-feet from a lake or stream

9. ☐ **Architectural Elevations:** Please provide **5 copies**, for *each* building and *each* building face (N,S,E,W), of a 24" x 36" fully-dimensioned architectural elevation plan drawn at a scale of 1/4" = 1' or 1/8" = 1' (or other size or scale approved by the Development Services Division). The plans must clearly indicate the information required by the "Permits" section of the currently adopted Uniform Building Code and RCW 19.27 (State Building Code Act, Statewide amendments), including, but not limited to the following:

- Identify building elevations by street name (when applicable) and orientation i.e. Burnett Ave. (west) elevation
- Existing and proposed ground elevations
- Existing average grade level underneath proposed structure
- Height of existing and proposed structures showing finished roof top elevations based upon site elevations for proposed structures and any existing/abutting structures
- Building materials and colors including roof, walls, any wireless communication facilities, and enclosures
- Fence or retaining wall materials, colors, and architectural design
- Architectural design of on-site lighting fixtures
- Screening detail showing heights, elevations, and building materials of proposed screening and/or proposed landscaping for refuse/recycling areas
- Cross section of roof showing location and height of roof-top equipment (include air conditioners, compressors, etc.) and proposed screening

10. ☐ **Plan Reductions:** Please provide **one 8 1/2" x 11" photographic reduction** of all required full size plan sheets, which include: landscape plans, conceptual utility plans, site plan or plat plan, neighborhood detail map, topography map, tree cutting/land clearing plan, grading plan, and building elevations. These reductions are used to prepare public notice posters and to provide the public with information about the project. A photographic reduction is a photo quality (not transparent) copy of a digitally scanned original document. Copy machine reductions or plotted reductions cannot be accepted. Please ensure the reduced Neighborhood Detail Map is legible and will display enough cross streets to easily identify the project location when cropped to fit in a 4" by 6" public notice space. Once the photographic reductions have been made, please also make **one 8 1/2" x 11" regular photocopy** of each photographic reduction sheet. Royal Reprographics (425)-251-8230, Litho Design (206) 574-3000, The Copy Company (206) 622-4050, and Reprographics NW/Ford Graphics (206)-624-2040, (425) 883-1110, (253) 383-6363 provide this service.

11. ☐ **Colored Maps for Display (DO NOT MOUNT ON FOAM-CORE OR OTHER BACKING):** Please color **1 copy** of each of the following full size plan sheets (24" x 36") or other size approved by the Development Services Division) with a 1/4" or larger felt tip marker for use in presenting the project to the Environmental Review Committee and at any required public hearing:

- Neighborhood Detail Map
- Site Plan
- Landscaping Plan
- Elevations

The following colors are required:

**Red**-North Arrow, outer property boundary. Proposed new lot lines (dashed). Do not color existing lot lines which are to be eliminated or relocated.

**Blue**-Street names identified with lettering of at least 1" in height. Street names must be legible at a distance of 15-ft.

**Brown**-Existing buildings (Please do not color buildings which will be demolished or removed)

**Yellow**-Proposed buildings

**Light Green**-Landscaped areas

**Dark Green**-Areas of undisturbed vegetation

## **All Plans and Attachments must be folded to 8½" by 11"**

**REVIEW PROCESS:** Once a complete land use application package has been accepted for initial review, the Development Services Division will post three notices of the application at or near the subject site and mail notices to property owners within 300 feet of the site. The application will be routed to other City departments and other jurisdictions or agencies who may have an interest in the application. The reviewers have two weeks to return their comments to the Development Services Division. Then the Development Services Division will prepare a report regarding the proposal's compliance with applicable codes and the City's review criteria.

After review of the application and any staff or public comments, the Development Services Division staff will forward a report and recommendation to the Hearing Examiner prior to the hearing. This report will be mailed to all persons listed on the Master Application and all parties of record. Notice of the public hearing will be published in the *South County Journal* at least 10 days prior to the hearing, the site will be posted again, and parties of record will receive notices of the hearing via mail. Applicants are strongly encouraged to attend the public hearing for their proposal. City staff will first make a presentation to the Hearing Examiner about the proposal. Then the applicant and any citizens in support of the proposal will give testimony. When giving testimony, names and addresses must be stated for the record. Following this, individuals with neutral or opposing comments will give their testimony to the Hearing Examiner. City staff or the applicant will address additional questions raised throughout the hearing. The Hearing Examiner will review the application and issue a recommendation to City Council within 14 days of the hearing unless, at the time of the public hearing, the Hearing Examiner indicates additional time will be required for issuance of the recommendation. The recommendation will be mailed to all persons listed on the Master Application and all parties of record.

After the Hearing Examiner's recommendation (and any appeals of that recommendation) is sent to the City Council, the Council will issue a final decision. The decision to approve, conditionally approve, or deny the request will be mailed to all persons listed on the Master Application and all parties of record.

**APPEAL AND RECONSIDERATION PROCESS FOR DECISIONS:** Any person, including the applicant, aggrieved by the Hearing Examiner's actions, may make a written application for reconsideration to the Hearing Examiner within 14 calendar days of the date of the recommendation. After review of the reconsideration request, the Hearing Examiner may take whatever action is deemed proper. The Hearing Examiner's written decision on the reconsideration request will be mailed to all parties of record within 10 days from the date the request was filed.

If any party is still not satisfied after a reconsideration decision has been issued, an appeal may be submitted within 14 days to the City Council.

An appeal may be filed without first requesting reconsideration by the Hearing Examiner, however, it must be filed within 14 days of the date the original decision was issued.

After the Council's decision is issued, there will be a 21-day appeal period during which time an appeal may be filed with Superior Court. See Renton Municipal Code, Section 4-8-110 for further information on the appeal process and time frames.